

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Stuart B. Levy et al.

Application No.: 10/692,764

Confirmation No.: 8952

Filed: October 24, 2003

Art Unit: 1633

For: Methods of Using Substituted Tetracycline  
Compounds to Modulate RNA

Examiner: J. L. Epps-Smith

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of any of a Final Office Action, a Notice of Allowance (37 CFR 1.97(c)) or an action that otherwise closes prosecution in the application.

I hereby certify, pursuant to 37 CFR 1.97(e)(1), that each item of information contained in this Supplemental Information Disclosure Statement was first cited in any communication from a

foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicant has not submitted copies of U.S. patents and U.S. patent applications. Applicant submits herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

Furthermore, in accordance with 37 CFR 1.704(d), Applicant(s) note(s) that to our knowledge each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application (CA Patent Application Number 2503446) and that this communication was not received by any individual designated in 37 CFR 1.56 (c) more than thirty days prior to the filing of the information disclosure statement.

In accordance with 37 CFR 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0311, under Order No. 16534-539001US.

Dated: September 14, 2011

Respectfully submitted,

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